

Docket No.: H1890.0201
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Gary D. Hodgen et al.

Application No.: 09/313,628

Confirmation No.: 4153

Filed: May 18, 1999

Art Unit: 1617

For: CONTROL OF SELECTIVE ESTROGEN
RECEPTOR MODULATORS

Examiner: R. S. Travers

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

INTRODUCTORY COMMENTS

In response to the Notice of Non-Compliant Amendment dated January 22, 2006, attached hereto and resubmitted herewith is the claim section of the *Ex parte Quayle* response filed December 27, 2006.

Dated: January 29, 2007

Respectfully submitted,

By /Edward A. Meilman/
Edward A. Meilman

Registration No.: 24,735
DICKSTEIN SHAPIRO LLP
1177 Avenue of the Americas
41st Floor
New York, New York 10036-2714
(212) 277-6500
Attorney for Applicant